IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 21840 of 2007(Y)

PETITIONERS:
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1. KARIKATTOOR SREE DHARMA SASTHA TEMPLE
UPADESAKA SAMITHI, KARIKATTOOR CENTRE P.O.,
KOTTAYAM REPRESENTED BY ITS SECRETARY,
SABU DAMODAHARAN, S/O.DAMODHARAN, EDAPPALLY VEEDU,
KARIKATTOOR CENTRE P.O., KOTTAYAM DISTRICT.

2. P.N.VADUDEVA KURUP,
PRESIDENT, KARIKATOOR SREE DHARMA SASTHA TEMPLE
UPADESAKA SAMITHI, KARIKATTOOR CENTRE P.O.,
KOTTAYAM.

BY ADV. SRI.ANCHAL C.VIJAYAN

RESPONDENTS:
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1. TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY ITS SECRETARY DEVASWOM BOARD OFFICE
NANDANCODE, THIRUVANANTHAPURAM.

2. STATE OF KERALA REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, DEPARTMENT OF DEVASWOMS,
GOVERNMENT SECRETARIATE, THIRUVANANTHAPURAM.

3. THE DISTRICT COLLECTOR,
KOTTAYAM.

4. THRESIAMMA JACOB,
VETTIKKATTU HOUSE, KARIKATTOOR CENTRE P.O.,
KOTTAYAM.

5. SURESH,
EDAPPARA VEEDU,
KARIKATOOR CENTRE P.O., KOTTAYAM.

6. MANESH MATHEW,
VALIPLACKAL VEEDU,
KARIKATOOR CENTRE P.O., KOTTAYAM.

7. SIBY MATHEW,
NELLIKKAKUZHY, KARIKATTOOR CENTRE P.O.,
KOTTAYAM.

8. SUNNY MATHEW,
NELLIKKAKUZHY, KARIKATTOOR CENTRE P.O.,
KOTTAYAM.

9. BABU,
KUMBULUMOOTTIL, PAZHAYIDAM P.O.,
CHIRAKKOLAVU, KOTTAYAM.

10. PRASOOLA,
NELLIMALA VEEDU,
KARIKATTOOR CENTRE P.O., KOTTAYAM.

11. KURIAN THOMAS,
AMBATTU VEEDU,
KARIKATOOR CENTRE P.O.,
KOTTAYAM.

12. TITY THOMAS,
AMBATTU VEEDU, KARIKATTOOR CENTRE P.O.,
KOTTAYAM.

13. V.V.JOSEPH,
VADAKKEMURIYIL, KARIKATTOOR CENTRE P.O.,
KOTTAYAM.

BY GOVT. PLEADER SRI. SANDESH RAJA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

Petitioners' Exts:

Ext.P1 true copy of the application submitted by the Assistant Devaswom Commissioner, Kottayam to the 3rd respondent dated 2.4.2007.

Ext.P2 true copy of the application submitted by the petitioners dated 22.4.2007 to the 3rd respondent.

Ext.P3 true copy of the circular vide No.43136/P1/71/RD dated 20.3.1974 issued by the Secretary to Government, Department of Revenue, Government of Kerala.

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.P(C).No.21840 of 2007
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Dated this the 17th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

Heard counsel on both sides. Writ Petition is preferred seeking a direction to the District Collector to consider and pass appropriate orders on Ext.P2 application. Counsel for the petitioners referred to Ext.P1 letter dated 2.4.2007 addressed to the District Collector requesting to evict encroachers after measuring the temple property. Further, the applicants themselves preferred Ext.P2 and the same is pending consideration.

In the circumstances, we dispose of the Writ Petition with a direction to the third respondent – District Collector to take into consideration Exts.P1 and P2 and pass orders thereon within three months from the date of receipt of a copy of this judgment.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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